



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service d1946b
Food and Drug Administration

San Francisco District
1431 Harbor Bay Parkway
Alameda, California 94502-7070
Telephone: 510-337-6700

WARNING LETTER

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

July 21, 1998

Re: Entry No. N02-0074991-4
Dried Black Fungus

T&T Trading Company
Walter Tam, President
2110 East 14th Street
Oakland, California 94606

Dear Mr. Tam:

On May 29, 1998 and again on July 1, 1998, we attempted to sample a shipment of 150 - 30 pound cartons of Dried Black Fungus in accordance with our notice of sampling dated May 12, 1998, imported into the United States by your firm on May 4, 1998 under entry number N02-0074991-4. On each occasion, the shipment was found not available. This is a violation of 21 CFR 1.90 which requires the importer to hold an entry intact pending receipt of the results of the examination of the sample. We had requested U.S. Customs to order redelivery of this shipment and they issued a Notice to Redeliver on June 5, 1998. On June 26, 1998, we received a notice that this entry was available for sampling at 15015 Wicks Boulevard, San Leandro, California.

Failure to promptly correct this violation and prevent future violations may result in regulatory action without further notice such as seizure, injunction, or automatic detention of future shipments. It is your responsibility as the importer, to ensure that imported product meets all requirements of the Federal Food, Drug and Cosmetic Act and the regulations promulgated thereunder.

Within 15 working days of receipt of this letter, notify this office in writing of the specific steps you have taken to correct the violation, including an explanation of each step being taken to prevent the recurrence of this violation in the future. Your reply should be addressed to

U.S. Food and Drug Administration, Attention: Howard G. Semey, Compliance Officer, at the address shown on this letterhead.

Sincerely yours,

Charles D. Moss
Acting District Director

for

Patricia C. Ziobro
District Director

Attachments
Redelivery Request Letter